

SAD  
# 2  
S-9-02

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Fumio SUGAYA, et al.

1010418319

Appln. No. Unassigned

4448

Confirmation No.: Not Yet Assigned

Filed: January 11, 2002

For: INCUBATOR

JC879 U.S. PRO  
10/042319  
01/11/02

1743

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned Bex

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT  
Attorney Docket No. Q66579

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

**Japanese Patent Publication No. 5-72976 corresponds to U.S. 4,823,169 submitted herewith.**

**English language abstract of Japanese Publication No. 11-237386 is submitted herewith.**

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



Darryl Mexico  
Registration No. 23,063

SUGHRUE MION, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, D.C. 20037-3213  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860  
DM/plr  
Date: January 11, 2002

|   |                  |    |   |   |  |                    |            |                     |                  |             |                  |                      |              |          |                  |               |                  |                        |  |
|---|------------------|----|---|---|--|--------------------|------------|---------------------|------------------|-------------|------------------|----------------------|--------------|----------|------------------|---------------|------------------|------------------------|--|
| <p>Substitute for form 1449 A &amp; B/PTO</p> <p><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b></p> <p><i>(use as many sheets as necessary)</i></p> |                  |    |   | <p><i>Complete if Known</i></p> <table border="1"> <tr> <td>Application Number</td> <td>Unassigned</td> </tr> <tr> <td>Confirmation Number</td> <td>Not Yet Assigned</td> </tr> <tr> <td>Filing Date</td> <td>January 11, 2002</td> </tr> <tr> <td>First Named Inventor</td> <td>Fumio SUGAYA</td> </tr> <tr> <td>Art Unit</td> <td>Not Yet Assigned</td> </tr> <tr> <td>Examiner Name</td> <td>Not Yet Assigned</td> </tr> <tr> <td colspan="2">Attorney Docket Number</td> </tr> </table> |  | Application Number | Unassigned | Confirmation Number | Not Yet Assigned | Filing Date | January 11, 2002 | First Named Inventor | Fumio SUGAYA | Art Unit | Not Yet Assigned | Examiner Name | Not Yet Assigned | Attorney Docket Number |  |
| Application Number  | Unassigned       |    |   |   |  |                    |            |                     |                  |             |                  |                      |              |          |                  |               |                  |                        |  |
| Confirmation Number   | Not Yet Assigned |    |   |   |  |                    |            |                     |                  |             |                  |                      |              |          |                  |               |                  |                        |  |
| Filing Date   | January 11, 2002 |    |   |   |  |                    |            |                     |                  |             |                  |                      |              |          |                  |               |                  |                        |  |
| First Named Inventor  | Fumio SUGAYA     |    |   |   |  |                    |            |                     |                  |             |                  |                      |              |          |                  |               |                  |                        |  |
| Art Unit  | Not Yet Assigned |    |   |   |  |                    |            |                     |                  |             |                  |                      |              |          |                  |               |                  |                        |  |
| Examiner Name   | Not Yet Assigned |    |   |   |  |                    |            |                     |                  |             |                  |                      |              |          |                  |               |                  |                        |  |
| Attorney Docket Number  |                  |    |   |   |  |                    |            |                     |                  |             |                  |                      |              |          |                  |               |                  |                        |  |
| Sheet   | 1                | of | 1 | Q66579  |  |                    |            |                     |                  |             |                  |                      |              |          |                  |               |                  |                        |  |

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation <sup>6</sup> |
|--------------------|-----------------------|--|--------------------------|
|                    |                       | English Abstract 11-237386, 08/31/99   |                          |
|                    |                       |  |                          |
|                    |                       |  |                          |
|                    |                       |  |                          |
|                    |                       |  |                          |
|                    |                       |  |                          |

**Examiner Signature** \_\_\_\_\_ **Date Considered** \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.